



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**IN RE THOMAS AND FRIENDS™
WOODEN RAILWAY TOYS LITIGATION**

This Document Relates To:

All Actions

No. 07 C 3514

JUDGE LEINENWEBER

ORDER APPOINTING INTERIM LEAD COUNSEL FOR THE PUTATIVE CLASS

This Cause coming to be heard on the petition of the Plaintiffs in eight of the nine cases pending before this Court and the separate petition of the *Deke* Plaintiff for appointment of lead counsel on behalf of the putative class pursuant to Fed. R. Civ. P. 23(g), this Court having heard the arguments of all parties and being advised in the premises,

IT IS HEREBY ORDERED:

1. The Court appoints the following law firms to act as Interim Co-Lead Counsel on behalf of the Class:

Steve W. Berman
HAGENS BERMAN SOBOL SHAPIRO LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292
(206) 623-0594 (fax)

Elizabeth A. Fegan
HAGENS BERMAN SOBOL SHAPIRO LLP
820 North Blvd., Suite B
Oak Park, Illinois 60302
(708) 776-5600
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Frederic S. Fox
KAPLAN FOX & KILSHEIMER LLP
805 Third Avenue
New York, NY 10022
(212) 687-1980
(212) 687-7714 (fax)

William N. Riley
PRICE WAICUKAUSKI & RILEY, LLC
301 Massachusetts Ave
Indianapolis, Indiana 46204
(317) 633-8787

2. Plaintiffs' Co-Lead Counsel shall be generally responsible for coordinating the activities of plaintiffs and conducting the litigation, and shall:
- a. determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the court and opposing parties the position of the plaintiffs on all matters arising during pretrial proceedings;
 - b. conduct settlement negotiations on behalf of plaintiffs;
 - c. delegate specific tasks to other counsel in a manner to ensure that pretrial preparation for the plaintiffs is conducted effectively, efficiently, and economically, and establish any necessary organizational structure;
 - d. enter into stipulations, with opposing counsel, necessary for the conduct of the litigation;
 - e. prepare and distribute to the parties periodic status reports;
 - f. maintain adequate time and disbursement records covering services as lead counsel;
 - g. monitor the activities of co-counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided; and
 - h. perform such other duties as may be incidental to proper coordination of plaintiffs' pretrial activities or authorized by further order of the court, including the drafting and/or filing of all pleadings, orders, and correspondence necessary to conduct the litigation.

Dated: August 27, 2007

ENTERED:

A handwritten signature in black ink, appearing to read "H. Leinenweber", written over a horizontal line.

Hon. Harry D. Leinenweber